



## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-583-848]

#### **Certain Stilbenic Optical Brightening Agents from Taiwan: Final Results of Antidumping Duty Administrative Review; 2020-2021**

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**SUMMARY:** The U.S. Department of Commerce (Commerce) determines that the sole producer and/or exporter subject to this review made sales of subject merchandise in the United States at less than normal value during the period of review (POR), May 1, 2020, through April 30, 2021.

**DATES:** Applicable [INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

**FOR FURTHER INFORMATION CONTACT:** Dmitry Vladimirov, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington DC 20230; telephone: (202) 482-0665.

#### **SUPPLEMENTARY INFORMATION:**

##### Background

This administrative review covers one producer and/or exporter of the subject merchandise, Teh Fong Ming International Co., Ltd. (TFM). On April 27, 2022, Commerce published the preliminary results of the 2020-2021 administrative review of the antidumping duty order on certain stilbenic optical brightening agents (OBAs) from Taiwan.<sup>1</sup> We invited interested parties to comment on the *Preliminary Results*.<sup>2</sup> On May 27, 2022, we received a case

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<sup>1</sup> See *Stilbenic Optical Brightening Agents from Taiwan: Preliminary Results of Antidumping Duty Administrative Review; 2020-2021*, 87 FR 24939 (April 27, 2022) (*Preliminary Results*).

<sup>2</sup> *Id.*

brief from TFM.<sup>3</sup>

Commerce conducted this review in accordance with sections 751(a)(1)(B) and (2) of the Tariff Act of 1930, as amended (the Act).

#### Scope of the Order<sup>4</sup>

The products covered by the *Order* are OBAs. A full description of the scope of the *Order* is contained in the Issues and Decision Memorandum.<sup>5</sup>

#### Analysis of Comments Received

All issues raised by TFM in its case brief, are addressed in the Issues and Decision Memorandum and are listed in the appendix to this notice. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

#### Changes Since the Preliminary Results

Based on our review of the record and TFM's comments, we made a change to the preliminary margin calculation for the company. For a discussion of this change, *see* the "Changes Since the *Preliminary Results*" section of the Issues and Decision Memorandum.

#### Final Results of Review

We determine that the following weighted-average dumping margin exists for the period May 1, 2020, through April 30, 2021:

<b>Producer/Exporter</b>	<b>Weighted-Average Dumping Margin (Percent)</b>
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<sup>3</sup> See TFM's Letter, "Certain Stilbenic Optical Brightening Agents (CSOBA) from Taiwan: Case Brief," dated May 27, 2022.

<sup>4</sup> See *Certain Stilbenic Optical Brightening Agents from Taiwan: Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order*, 77 FR 27419 (May 10, 2012) (*Order*).

<sup>5</sup> See Memorandum, "Certain Stilbenic Optical Brightening Agents from Taiwan: Issues and Decision Memorandum for the Final Results of Antidumping Duty Administrative Review; 2020-2021," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

### Disclosure

We intend to disclose the calculations performed for TFM in these final results to parties in this proceeding within five days after the date of any public announcement or, if there is no public announcement, within five days after the date of publication of these final results in the *Federal Register*, in accordance with 19 CFR 351.224(b).

### Assessment Rates

Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review, in accordance with section 751(a)(2)(C) of the Act and 19 CFR 351.212(b)(1). Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of these final results in the *Federal Register*. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.*, within 90 days of publication).

For TFM, we calculated importer-specific assessment rates on the basis of the ratio of the total amount of dumping calculated for each importer's examined sales and the total entered value of those sales in accordance with 19 CFR 351.212(b)(1).<sup>6</sup> Where an importer-specific assessment rate is *de minimis* (*i.e.*, less than 0.5 percent), the entries by that importer will be liquidated without reference to antidumping duties.

For entries of subject merchandise during the POR produced by TFM for which it did not know that its merchandise was destined for the United States, we will instruct CBP to liquidate

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<sup>6</sup> In these final results, Commerce applied the assessment rate calculation method adopted in *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings; Final Modification*, 77 FR 8101 (February 14, 2012).

unreviewed entries at the all-others rate (*i.e.*, 6.19 percent)<sup>7</sup> if there is no rate for the intermediate company(ies) involved in the transaction.<sup>8</sup>

### Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication in the *Federal Register* of this notice for all shipments of OBAs from Taiwan entered, or withdrawn from warehouse, for consumption on or after the date of publication as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for TFM will be 11.92 percent, the weighted-average dumping margin established in these final results; (2) for previously investigated companies not subject to this review, the cash deposit rate will continue to be the company-specific rate published in the most recently completed segment of this proceeding in which the company participated; (3) if the exporter is not a firm covered in this review, a prior review, or the original less-than-fair-value (LTFV) investigation, but the producer is, the cash deposit rate will be the rate established in the most recent completed segment for the producer of the merchandise; (4) the cash deposit rate for all other producers or exporters will continue to be 6.19 percent, the all-others rate established in the LTFV investigation.<sup>9</sup> These cash deposit requirements, when imposed, shall remain in effect until further notice.

### Notification to Importers

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

### Administrative Protective Order

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<sup>7</sup> See *Order*, 77 FR at 27420.

<sup>8</sup> See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

<sup>9</sup> See *Order*, 77 FR at 27420.

This notice also serves as a reminder to parties subject to an administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under the APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

Notification to Interested Parties

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i) of the Act.

Dated: August 17, 2022.

**Lisa W. Wang,**  
*Assistant Secretary for Enforcement and Compliance.*

## Appendix

### List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the *Order*
- IV. Changes Since the *Preliminary Results*
- V. Discussion of the Issues
  - Comment 1: Assessment Rates for Export Price Transactions
  - Comment 2: Date of Sale for Consignment Transactions
- VI. Recommendation

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